THURSDAY, MARCH 27, 2003

TWENTY-FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Wilder.

PRAYER

The proceedings were opened with prayer by Maury Davis of Cornerstone Church in Madison, Tennessee, a quest of Senator Haynes.

PLEDGE OF ALLEGIANCE

Senator Havnes led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 30

Senators present were Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Happer, Haynes, Henry, Herron, Ketron, Kurlis, Key, McLeary, McNaily, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Spreaker Wilder.

COMMUNICATIONS

March 24, 2003

Lt. Governor John S. Wilder 1 Legislative Plaza Nashville, TN 37243-0026

Dear Lt. Gov. Wilder:

I will not be able to attend Session on Thursday, March 27th. With your permission I will be absent from Session on the above mentioned date.

As always your understanding in these matters is greatly appreciated.

Sincerely,

/s/ David Fowler

APPROVED: Lieutenant Governor John S. Wilder

March 27 2003

Lt. Governor John S. Wilder 1 Legislative Plaza Nashville, TN 37243-0026

Dear Lt. Gov. Wilder:

Please excuse me from Session today, Thursday, March 27, 2003. I am traveling and will not be able to attend

Sincerely.

/s/ Doug Jackson

APPROVED: Lieutenant Governor John S. Wilder

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

Senate Bill No. 2004 held on desk.

Senate Rill No. 2005 held on desk

Senate Bill No. 2006 referred to Committee on General Welfare, Health and Human Resources.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 204 by Senator Graves.

Memorials, Recognition -- Bill Burnett, White House Area Chamber of Commerce Citizen of the Year

Senate Joint Resolution No. 205 by Senator Beavers.

General Assembly, Statement of Intent or Position – Urges public library boards to require public libraries to obtain parental consent prior to allowing minor check out "R" or "NC-17" rated library materials.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 195 -- Memorials, Personal Achievement -- Matthew Philip Kiessling, Eagle Scout.

The Speaker announced that he had referred Senate Joint Resolution No. 195 to Committee on Calendar

Senate Joint Resolution No. 196 -- Memorials, Death -- Phillip Street, Sr.

The Speaker announced that he had referred Senate Joint Resolution No. 196 to Committee on Calendar.

Senate Joint Resolution No. 197 -- Memorials, Retirement -- John Neal Winstead, Sr.

The Speaker announced that he had referred Senate Joint Resolution No. 197 to Committee on Calendar

Senate Joint Resolution No. 198 -- Memorials, Professional Achievement -- Dale Wainwright, Texas Supreme Court.

The Speaker announced that he had referred Senate Joint Resolution No. 198 to Committee on Calendar.

Senate Joint Resolution No. 199 -- Memorials, Professional Achievement -- Rick Insell, TSSAA Hall of Fame.

The Speaker announced that he had referred Senate Joint Resolution No. 199 to Committee on Calendar.

Senate Joint Resolution No. 200 - Memorials, Sports - Ashleigh Newman, 1000th point.

The Speaker announced that he had referred Senate Joint Resolution No. 200 to Committee on Calendar

Senate Joint Resolution No. 202 -- Memorials, Sports -- Shelbyville Golden Eaglettes, TSSAA Class AAA basketball champs.

The Speaker announced that he had referred Senate Joint Resolution No. 202 to Committee on Calendar.

House Joint Resolution No. 28 -- Memorials, Personal Achievement -- Phi Theta Kappa All-Tennessee Academic Team.

The Speaker announced that he had referred House Joint Resolution No. 28 to Committee on Calendar.

CONSENT CALENDAR

House Joint Resolution No. 161 -- Memorials, Professional Achievement -- Stamper's Distinctive Furnishings, 80th anniversary.

House Joint Resolution No. 162 - Memorials, Sports - Elizabeth Dotson.

House Joint Resolution No. 165 - Memorials, Personal Achievement -- Shirley Vess, Ms. Tennessee Senior America 2003.

House Joint Resolution No. 166 - Memorials, Professional Achievement - Lorrie Graves, Teacher of the Year, Moore Elementary and Franklin Special School District.

House Joint Resolution No. 168 -- Memorials, Professional Achievement -- Billy Belew, TSSAA Hall of Fame.

House Joint Resolution No. 169 – Memorials, Sports -- Beech High School girls' basketball team, TSSAA Runners-Up.

House Joint Resolution No. 170 -- Memorials, Death -- Mariclare Williams.

House Joint Resolution No. 171 -- Memorials, Sports -- Portland High School boys' basketball team.

House Joint Resolution No. 172 -- Memorials, Sports -- Westmoreland High School girls' baskethall team

House Joint Resolution No. 173 -- Memorials, Professional Achievement -- Sandra Hayes.

House Joint Resolution No. 176 – Memorials, Sports – Brian McGaha, Sullivan North High School Unified basketball team

House Joint Resolution No. 177 - Memorials, Sports - Tim Sumner, Sullivan North High School Unified baskethall team

House Joint Resolution No. 178 -- Memorials, Sports -- Derek Boggs, Sullivan North High School Unified basketball team.

House Joint Resolution No. 179 -- Memorials, Sports -- Kevin Willis, Sullivan North High School Unified basketball team.

House Joint Resolution No. 180 -- Memorials, Sports -- Damon Boggs, Sullivan North High School Unified baskethall team

House Joint Resolution No. 181 -- Memorials, Sports -- Mike Bear, Sullivan North High School Unified basketball team.

House Joint Resolution No. 182 - Memorials, Sports - Chris Jarrett, Sullivan North High School Unified basketball team.

House Joint Resolution No. 183 -- Memorials, Sports -- Greg Bass, Sullivan North High School basketball coach. Unified Sports basketball state champions.

House Joint Resolution No. 184 -- Memorials, Sports -- Peggy Sue Plum, Sullivan North High School basketball coach, Unified Sports basketball state champions.

House Joint Resolution No. 185 — Memorials, Professional Achievement — Samuel P. Anderson, Director of Parks and Recreation,

House Joint Resolution No. 186 -- Memorials, Sports -- Gordon Perry, TSSAA Hall of Fame.

House Joint Resolution No. 187 - Memorials, Public Service - Kenny Blackburn, NCCJ Human Relations Award.

House Joint Resolution No. 188 -- Memorials. Death -- Emma Lee Beckett Batts.

Senate Joint Resolution No. 184 -- Memorials, Congress -- Urges passage of H.R. 720 (Sales Tax Equity Act of 2003) by Representative Brady, et al, to amend Internal Revenue Code of 1986 to allow deduction of state and local sales taxes in lieu of state and local income taxes.

Senate Joint Resolution No. 185 – Memorials, Government Officials – Invites U.S. Senator Bill Frist to address joint session of General Assembly on federal health care reforms, deductability of state sales tax from federal income tax, and underfunded and unfunded federal mandates.

Senate Joint Resolution No. 193 -- Memorials, Professional Achievement -- WAKM, 50th anniversary.

Senate Joint Resolution No. 194 -- Memorials, Public Service -- Oakwood Baptist Church, 100th anniversary.

Senate Resolution No. 24 -- Memorials, Professional Achievement -- The French Confection.

Senator Crowe moved that all Senate Resolutions and Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Senators volting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurlia, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder-30.

A motion to reconsider was tabled

LOCAL BILL CONSENT CALENDAR

Senate Bill No. 1851 – Parsons – Subject to local approval, amends charter so that reading or ordinances and resolutions which have been presented to mayor and council members and have been posted on City Bulletin Board or on City's Web site before council meeting may be waived. Amends Charlot 182 of the Private Acts of 1993.

On motion, Senate Bill No. 1851 was made to conform with House Bill No. 1810.

On motion, House Bill No. 1810, on same subject, was substituted for Senate Bill No. 1851.

Senate Bill No. 1988 – Kingsport – Subject to local approval, removes authority for board of mayor and aldermen to set salaries of city recorder, city attorney, and chief of police. Amends Chapter 76 of the Private Acts of 1917; as amended.

On motion, Senate Bill No. 1988 was made to conform with House Bill No. 2069.

On motion, House Bill No. 2069, on same subject, was substituted for Senate Bill No. 1988.

Senator Crowe moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Senators volting aye were Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurlfs, Williams and Mr. Speaker Wilder, 30.

Revenue Marker: A Senator Marker Marker**: Senator Marker Marker**: A Senator Marker Marker**: Senator Marker Marker**: Marker Marker Marker**: Marker Marker

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 812 – Public Funds and Financing – Deletes specific requirement that qualified public depositories include detailed schedule of all securities pleeded as collateral and statement of selected financial information in written reports to treasurer. Amends TCA Section 9-4-518.

Senate Bill No. 812 passed its third and final consideration by the following vote:

Ayes								30
Noes								0

Senators voling aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Heron, Ketron, Kurlts, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder-30.

A motion to reconsider was tabled.

Senate Bill No. 662 — Banks and Financial Institutions — Extends period of time for disposing of repossessed personal property from six months to one year, deletes restriction on check cashing charges held invalid by federal district court; eliminates safe deposit notice requirement; reduces period of time for acquiring de novo bank from five years to three years. Amends TCA Title 45, Chapter 2.

Senator Cooper moved to amend as follows:

AMENDMENT NO 1

AMEND by deleting Section 1 in its entirety and by redesignating the subsequent sections accordingly.

On motion, the amendment was adopted.

Senator Cooper moved to amend as follows:

AMENDMENT NO. 2

AMEND by redesignating Section 6 as Section 11 and by adding the following new sections:

SECTION 6. Tennessee Code Annotated, Section 45-2-1302, is amended by deleting the language "five (5) years" wherever it appears and by substituting instead the language "three (3) years".

SECTION 7. Tennessee Code Annotated, Section 45-2-1303, is amended by deleting the language "five (5) years" wherever it appears and by substituting instead the language "three (3) years".

SECTION 8. Tennessee Code Annotated, Section 45-2-1013, is amended by deleting the language "five (5) years" wherever it appears and by substituting instead the language "three (3) years".

SECTION 9. Tennessee Code Annotated, Section 45-2-1014, is amended by deleting the language "five (5) years" wherever it appears and by substituting instead the language "three (3) years".

SECTION 10. Tennessee Code Annotated, Section 45-2-1020, is amended by deleting the language "five (5) years" wherever it appears and by substituting instead the language "three (3) years".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 662, as amended, passed its third and final consideration by the following vote:

Ayes								30
Noes								0

Senators volling aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurlfs, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder-30.

A motion to reconsider was tabled.

MOTION

Senator Graves moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 204, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 204 -- Memorials, Recognition -- Bill Burnett, White House Area Chamber of Commerce Citizen of the Year.

On motion of Senator Graves, the rules were suspended for the immediate consideration of the resolution.

On motion, Senate Joint Resolution No. 204 was adopted by the following vote:

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Grawes, Harper, Haynes, Henry, Herron, Ketron, Kurtia, Kyle, McLeary, McNally, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder-29

A motion to reconsider was tabled.

MOTION

Senator Crutchfield moved that the Proposed Schedule for the week of March 31, 2003, be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes								29
Noes								٢

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurtia, Kyle, McLeary, McNally, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder-29

TENNESSEE STATE SENATE 103rd GENERAL ASSEMBLY PROPOSED SCHEDULE

FOR THE WEEK OF MARCH 31, 2003

MONDAY - March 31

3:00 p.m.	-	4:00 p.m. 5:00 p.m.	Education Committee Session – Senate Chamber

TUESDAY - April 1

8:30 a.m.	_	10:30 a.m.	Finance, Ways & Means Committee
10:30 a.m.	_	12:30 p.m.	State & Local Government Committee
12:30 p.m.	_	1:30 p.m.	Lunch
1:30 p.m.	_	3:30 p.m.	Commerce, Labor & Agriculture Committee
3:30 p.m.	-	5:30 p.m.	Judiciary Committee

WEDNESDAY - April 2

8:00 a.m. — 9:30 a.m.	Education Committee
9:30 a.m 10:30 a.m.	General Welfare, Health & Human Resources
10:30 a.m 11:30 a.m.	Environment, Conservation & Tourism Committee
11:30 a.m 12:30 p.m.	Lunch

12:30 p.m. – 1:30 p.m. Transportation Committee
1:30 p.m. – 2:30 p.m. Government Operations Committee
2:30 p.m. Senate Caucuses
3:00 p.m. Session – Senate Chamber

THURSDAY - April 3

NO SENATE SESSION

OTHER MEETINGS:

Monday, March 31, 2003 – Council on Pensions & Insurance (Last scheduled meeting) – 1:30 p.m. – Room 29 LP

Tuesday, April 1, 2003 – Commerce, Labor & Agriculture Pre-Meeting 7:30 a.m. – Third Floor Conference Room

MOTION

On motion of Senator McLeary and Mr. Speaker Wilder, their names were added as sponsors of House Joint Resolution No. 186.

On motion of Senators Atchley and Burchett, their names were added as sponsors of **House**Joint Resolution No. 185.

On motion of Senator Ramsey, his name was added as sponsor of House Joint Resolutions Nos. 176, 177, 178, 179, 180, 181, 182, 183 and 184.

On motion, all Senators' names were added as sponsors of Senate Joint Resolutions Nos. 184, 185 and 187.

On motion of Senator Cooper, his name was added as sponsor of House Joint Resolution No. 186: and Senate Joint Resolution No. 194.

On motion of Senator Kyle, his name was removed as sponsor of Senate Bill No. 1929.

On motion of Senator Trail, his name was added as sponsor of Senate Bill No. 1929.

On motion of Senator Miller, his name was added as sponsor of House Joint Resolution No. 161

On motion of Senator Bryson, his name was added as sponsor of **House Joint Resolution No. 166**.

On motion of Senator Graves, her name was added as sponsor of **House Joint Resolutions**Nos. 169, 170, 171 and 172.

On motion of Senator Dixon, his name was added as sponsor of **House Joint Resolutions** Nos, 173 and 188.

ENGROSSED BILLS

March 27, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 184 and 185, and find same correctly engrossed and ready for transmission to the House

> PATRICK W. MERKEL, Chief Engrossing Clerk.

ENGROSSED BILLS

March 27, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 193 and 194, and find same correctly engrossed and ready for transmission to the House.

> PATRICK W. MERKEL, Chief Engrossing Clerk.

ENGROSSED BILLS March 27, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 204, and find same correctly engrossed and ready for transmission to the House.

> PATRICK W. MERKEL, Chief Engrossing Clerk.

ENGROSSED BILLS March 27, 2003

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MR, SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 662 and 812, and find same correctly engrossed and ready for transmission to the House.

> PATRICK W. MERKEL, Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 24, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 390, substituted for House Bill on same subject and passed by the House.

MESSAGE FROM THE HOUSE

March 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1736, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM, Chief Clerk.

MESSAGE FROM THE HOUSE

March 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 538, 572, 1152, 1262, 1314, 1315, 1319, 1342 and 1428; passed by the House.

BURNEY T. DURHAM, Chief Clerk

MESSAGE FROM THE HOUSE March 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 184, 185, 191, 192, 201, 203 and 204; concurred in by the House.

BURNEY T. DURHAM, Chief Clerk

MESSAGE FROM THE HOUSE

March 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 186, 187 and 189; concurred in by the House.

BURNEY T. DURHAM, Chief Clerk.

MESSAGE FROM THE HOUSE

March 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 164, adopted, for the Senate's action.

BURNEY T. DURHAM, Chief Clerk

MESSAGE FROM THE HOUSE

March 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 174, adopted, for the Senate's action.

MESSAGE FROM THE HOUSE

March 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 265, 257, 258, 259, 260 and 263; adopted, for the Senate's action.

BURNEY T. DURHAM, Chief Clerk.

ENROLLED BILLS

March 27, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolution No. 24; and Senate Joint Resolutions Nos. 184, 185, 191, 192, 201, 203 and 204; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL, Chief Engrossing Clerk.

ENROLLED BILLS March 27 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 186, 187 and 189; and find same correctly enrolled and ready for the sionatures of the Speakers.

PATRICK W. MERKEL, Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 27 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 158 and 163, for the signature of the Speaker.

> BURNEY T. DURHAM, Chief Clerk.

MESSAGE FROM THE HOUSE

March 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 161, 162, 165, 166, 168, 169, 170, 171, 172, 173, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187 and 188 for the signature of the Speaker.

SIGNED

March 27, 2003

The Speaker announced that he had signed the following: Senate Resolution No. 24; and Senate Joint Resolutions Nos. 184, 185, 191, 192, 201, 203 and 204.

SIGNED

March 27, 2003

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 186, 187 and 189.

SIGNED

March 27, 2003

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 158 and 163.

SIGNED

March 27, 2003

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 161, 162, 165, 166, 168, 169, 170, 171, 172, 173, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187 and 188.

MESSAGE FROM THE HOUSE

March 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 186, 187 and 189; signed by the Speaker.

BURNEY T. DURHAM, Chief Clerk

MESSAGE FROM THE HOUSE

March 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 115, 187, 541 and 1691; signed by the Speaker.

BURNEY T. DURHAM, Chief Clerk.

MESSAGE FROM THE HOUSE

March 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 184, 185, 191, 192, 201, 203 and 204; signed by the Speaker.

REPORT OF CHIEF ENGROSSING CLERK

March 27, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 115, 187 and 541; and Senate Joint Resolutions Nos. 184, 185, 186, 187, 189, 191, 192, 201, 203 and 204; for his action.

PATRICK W. MERKEL, Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR CONSENT CALENDAR #1

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 31, 2003: Senate Bills Nos. 787, 1750, 1500 and 1850

> This the 27th day of March, 2003. CROWE, Chairperson.

REPORT OF COMMITTEE ON CALENDAR CONSENT CALENDAR #2

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 31, 2003: House Joint Resolution No. 28; and Senate Joint Resolutions Nos. 195, 196, 197, 198, 199, 200 and 202.

This the 27th day of March, 2003. CROWE, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 31, 2003: Senate Bills Nos. 185, 189, 1740 and 1938.

> This the 27th day of March, 2003. CROWE, Chairperson.

ADJOURNMENT

Senator Crutchfield moved the Senate adjourn until 5:00 p.m., Monday, March 31, 2003, which motion prevailed.